

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Printing Department - Pension – Sanction of interest on payment of family pension arrears to Smt. Zeenath Khatoon, W/o of (Late) Abdul Aziz, Sr. Electrician, O/o the Government Central Press, Hyderabad from 24.3.2005 to 31.10.2010 - Orders – Issued.

HOME (PRINTING) DEPARTMENT

G.O.Rt.No. 567

Dated.20-04-2011

Read the following:

1. From the Commissioner of Printing Stationery & Stores Purchase, Hyderabad, Lr.No.B4/2410/Pen-Accts/2000.
Dt.17.06.04.
2. Govt.Memo.No.17230/Ptg.A2/04, Dated. 31.3.2006.
3. O.A.No.5496/2006 filed by Smt. Zeenath Khatoon, W/o (late)Abdul Aziz in the Hon'ble A.P.A.T., Hyderabad.
4. Orders dt. 29.07.2009 of APAT, Hyderabad in O.A.No.5496/2006.
5. Govt.Memo.No.26308/Prtg.A2/06, Dated.05-07-2010.
6. From the Commissioner of Printing Stationery & Stores Purchase, Hyderabad Lr.No.AE4/2410/pen-Accts/99-2000,
dt.21-02-2011.

ORDER:

In the reference 1st read above, the Commissioner of Printing Stationery & Stores Purchase, Hyderabad, has stated that Sri Abdul Aziz, Sr. Electrician, Government Central Press, Chanchalguda, Hyderabad, was retired from service on 30-04-1990 A.N. on attaining the age of Superannuation. He has further stated that, Sri Abdul Aziz, Sr. Electrician (Retd.) has submitted revised family pension papers, duly authorizing his second wife, Smt. Zeenath Khatoon, as his first wife Smt. Atiya Ishrath died on 14.9.2000 and requested the Commissioner of Printing Stationery & Stores Purchase, Hyderabad, to forward revised pension papers to the O/o the Accountant General, Andhra Pradesh, Hyderabad, Sri Abdul Aziz, married Zeenath Khatoon on 11.7.1991, duly taking consent his first wife.

2. In the reference 2nd read above, while rejecting the pension proposals, the Government have informed to the Commissioner of Printing Stationery & Stores Purchase, Hyderabad, that the second wife is not eligible for family pension. Under Rule 50 (12)(b)(i) and Executive Instruction of Rule 50 (viii) of Andhra Pradesh Revised Pension Rules, 1980.
3. Aggrieved by this, Smt. Zeenath Khatoon, W/o (Late) Abdul Aziz has filed O.A.No.5496/2006 before the Hon'ble Andhra Pradesh, Administrative Tribunal, Hyderabad, challenging the impugned orders of Government Memo. dated.30.3.2006. While disposing the said O.A., the Hon'ble Andhra Pradesh Administrative Tribunal in its orders dated 19.7.2009 in the reference 4th read above, directing the respondents to fix the family pension to Smt. Zeenath Khatoon, W/o (Late) Abdul Aziz and pay the same with arrears from the date of death of her husband on 23.3.2005, together with interest @ 10% per annum till the date of payment, as the interest on delayed payment is a fundamental right, as held by the Hon'ble Supreme court in the case of S.K. Dua Vs. State of Haryana & another reported in (2008) 3 Supreme Court Cases 44.
4. In the reference 5th read above, Government have directed the Commissioner of Printing, Stationery & Stores Purchase, Hyderabad, to forward revised family pension papers of Smt. Zeenath Khatoon, W/o (Late) Abdul Aziz, to the O/o Accountant General Andhra Pradesh, Hyderabad, as per rule (2) of rule (1) of A.P.C.S. (Conduct) Rules, 1964, without impose any restriction on second marriage of a retired Government Servant.

5. In the reference 6th read above, the Commissioner of Printing, Stationery & Stores Purchase, Hyderabad, while enclosing a copy of payment of family pension arrears for an amount of Rs. 3,52,209/- to Smt. Zeenath Khatoon, W/o (Late) Abdul Aziz , has informed that, the arrears of family pension, has requested the Government to issue necessary orders for payment of interest to Smt. Zeenath Khatoon @10% per annum till the date of payment of family pension arrears i.e. 24.3.2005 to 31.10.2010.as per the Andhra Pradesh Administrative Tribunal orders dated. 29.7.2009.

6. Government have examined the matter in detail and hereby authorize the Commissioner of Printing, Stationery & Stores Purchase, Hyderabad arrange to pay an amount of Rs.86,449/- (Rupees Eighty Six thousand four hundred and forty nine only.) towards payment of the interest @ 10% per annum on payment of family pension arrears w.e.f. 24-3-2005 to 31-10-2010, to Smt. Zeenath Khatoon, W/o (Late) Abdul Aziz.

7. The expenditure sanctioned in para 6 above, shall be debited to the following Head of Account:-

2071 -	Pension and other retirement benefits
01 -	Civil
MH101 -	Superannuation & Retirement Allowances
SH(04) -	Service Pension
040 -	Pensionary Charges
041 -	Pensions (Charged)

8. The Commissioner of Printing Stationery & Stores Purchase, Hyderabad, shall take necessary action, accordingly.

9. This order issues with the concurrence of Finance (Pen-II) Department, vide their U.O.No 8444/89/A1/Pen.II/11, dated.13.04.2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.P. ACHARYA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing Stationery
& Stores Purchase, Hyderabad.

The Accountant General, Andhra Pradesh, Hyderabad.

Copy to:

The Finance (Pen-II) Department.
Smt. Zeenath Khatoon, W/o. Late Abdul Aziz,
through the Commissioner of Printing Stationery &
Stores Purchase, Hyderabad.

The Government Pleader for Home(S),
Andhra Pradesh Administrative Tribunal, Hyderabad.
SF/SC-2.

//FORWARDED :: BY ORDER//

SECTION OFFICER